

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

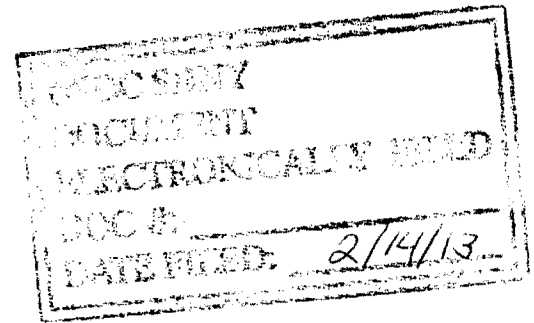
**JAENEAN LIGON, individually and on
behalf of her minor son, J.G.; FAWN
BRACY, individually and on behalf of her
minor son, W.B.; JACQUELINE YATES;
LETITIA LEDAN; ROSHEA JOHNSON;
KIERON JOHNSON; JOVAN JEFFERSON;
A.O., by his parent DINAH ADAMES;
ABDULLAH TURNER; FERNANDO
MORONTA; and CHARLES BRADLEY,
individually and on behalf of a class of all
others similarly situated,**

Plaintiffs,

- against -

**CITY OF NEW YORK; RAYMOND W.
KELLY, COMMISSIONER OF THE NEW
YORK CITY POLICE DEPARTMENT;
POLICE OFFICER JOHNNY BLASINI;
POLICE OFFICER GREGORY
LOMANGINO; POLICE OFFICER
JOSEPH KOCH; POLICE OFFICER
KIERON RAMDEEN; POLICE OFFICER
JOSEPH BERMUDEZ; POLICE OFFICER
MIGUEL SANTIAGO; and POLICE
OFFICERS JOHN DOE 1-12,**

Defendants.



ORDER

12 Civ. 2274 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

Since the publication of the January 8, 2013 Opinion and Order in *Ligon v. City of New York*,¹ three errors in the Opinion have come to light. *First*, as noted in the January 22, 2013 Opinion and Order, I have concluded based on defendants' post-Opinion arguments that the first of Letitia Ledan's police encounters most likely did not rise to the level of a *Terry* stop, and the second of her encounters was probably consensual.² These conclusions require changes to the following pages of the January 8 Opinion: 59, 93 to 94, and 98 to 103.³ *Second*, a passage in the January 8 Opinion contains an inaccurate reference to *United States v. Glover*, 957 F.2d 1004, 1008 (2d Cir. 1992). This requires changes to pages 125 to 127 of the January 8 Opinion.⁴ *Third*, there is a purely formal citation error on p. 10 n.19 and p. 19 n.48.

None of these errors alters the holding of the January 8 Opinion or any material aspect of the Opinion's preliminary injunction analysis. Nevertheless,

¹ See *Ligon v. City of New York*, — F. Supp. 2d —, No. 12 Civ. 2274, 2013 WL 71800 (S.D.N.Y. Jan. 8, 2013).

² See *Ligon v. City of New York*, No. 12 Civ. 2274, 2013 WL 227654, at *2 & n.15, *3 & n.24 (S.D.N.Y. Jan. 22, 2013).

³ See Amended Opinion & Order at 59–60, 95–96, 99–104.

⁴ See Amended Opinion & Order at 126–28.

in order to correct these errors, I am today issuing an Amended Opinion and Order. The only changes are those noted above, and the deletion of unnecessary material in the Conclusion on page 150. The Amended Opinion is now the accurate version for all purposes. The Clerk is directed to docket this Order and the Amended Opinion and Order.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: February 14, 2013
New York, New York

- Appearances -

For Plaintiffs:

Christopher Dunn, Esq.
Alexis Karteron, Esq.
Taylor Pendergrass, Esq.
Daniel Mullkoff, Esq.
New York Civil Liberties Union
125 Broad Street, 19th floor
New York, NY 10004
(212) 607-3300

J. McGregor Smyth, Jr., Esq.
Mariana Kovel, Esq.
The Bronx Defenders
860 Courtlandt Avenue
Bronx, NY 10451
(718) 508-3421

Juan Cartagena, Esq.
Foster Maer, Esq.
Roberto Concepcion, Jr., Esq.
LatinoJustice PRLDEF
99 Hudson Street, 14th Floor
New York, NY 10013
(212) 219-3360

John A. Nathanson, Esq.
Tiana Peterson, Esq.
Mayer Grashin, Esq.
Shearman & Sterling LLP
599 Lexington Avenue
New York, NY 10022
(212) 848-5222

For Defendants:

Heidi Grossman
Mark Zuckerman
Joseph Marutollo
Brenda Cooke
Richard Weingarten
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, NY 10007
(212) 788-1300